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January 6, 2025

VIA FEDEX OVERNIGHT

Marli Schippers, Esq.
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326 Founders Park
Rapid City, SD 57701
Tracking Number: 771217882910

**Re: *In re Generations on 1st, LLC,*
Case No. 25-30002 (Bankr. D.N.D. 2025)**

***In re Parkside Place, LLC,*
Case No. 25-30003 (Bankr. D.N.D. 2025)**

Ms. Schippers:

Please be advised that early this morning, Generations on 1st, LLC (“Generations”) and Parkside Place, LLC (“Parkside”) each filed petitions for chapter 11 relief, pursuant to the allowances of Section 301 of Title 11 of the United States Code, in the United States Bankruptcy Court for the District of North Dakota. The case numbers assigned to each entity are denoted above.

It is my understanding that on or about October 1, 2024, the Third Judicial Circuit Court, in and for Codington County, South Dakota, entered an order appointing your client, HME Companies, LLC (“HME”), as receiver of certain assets of Generations and Parkside. It is equally my understanding that HME has continued to serve in such capacity at all times since.

Pursuant to Section 543(b) of Title 11 of the United States Code, please note that HME is to deliver to Generations and Parkside, without hindrance or delay, custody of the two entities’ respective real estate assets, alongside all “proceeds, product, offspring, rents, or profits of such property, that is in [HME’s] possession” as of the date of turnover. Pursuant to the same statutory provision, it is also incumbent upon HME to file, with the bankruptcy court, “an accounting of any property of the debtor, or proceeds, product, offspring, rents, or profits of such property, that, at any time, came into the possession, custody, or control of such custodian.”

I am in possession of the reports filed by HME for its work during the months of October 2024 and November 2024. Those reports, assuming their veracity, appear to satisfy the latter rigor for the two subject months, and the debtors would not object to those accountings simply being docketed in the bankruptcy court for purposes of accounting for the two subject months. There is, however, a need to have a new accounting filed with the bankruptcy court for the period of December 1, 2024 through the date on which the assets of Generations and Parkside are turned over to the respective debtors.



Equally, I ask that you direct your client to preserve all records underlying the accountings given to the state court and the accounting to be given to the bankruptcy court, as well as all records of HME's activities as receiver. While this letter does not constitute a subpoena for such records, and leave to issue such a subpoena has not yet been sought from the bankruptcy court, there does exist a possibility (albeit likely not a probability) such a subpoena will be issued at a later date as the two debtors work to verify certain data points from the various accountings.

Should you have any questions about the logistics of the turnovers to be made, please do not hesitate to contact me directly. My firm's phone number is imprinted on the first page of this letter and my e-mail address is mac@dakotabankruptcy.com.

Finally, on behalf of Parkside and Generations, please relay to your client my gratitude for the service of HME as receiver in the two state court cases. I am well aware, from my own professional experiences, that acting as receiver is an often thankless and adversarial task, for which too little credit is given. I do not feign to know all the specifics of the work HME undertook in fulfillment of these roles, but I would be remiss to not acknowledge the entity's service and extend sincere gratitude for such.

Sincerely,

Maurice B. VerStandig, Esq.

cc: Caren Stanley, Esq.
Via Electronic Mail